

REMARKS

Reconsideration of the application is respectfully requested for the following reasons:

1. Amendments to Claims and Specification

Claim 1 has been amended to recite that an annular wall of the sleeve separates the bearing from the axial tube such that the bearing does not contact the axial tube, and pages 8 and 10 of the specification have been amended to provide proper antecedent support for the language added to claim 1.

Because original Figs. 5 and 6 show that sleeve 12 in fact separates bearing 20 from axial tube 11 in such a way that the bearing 20 does not contact the axial tube 11, it is respectfully submitted that the language added to claim 1, and the corresponding amendments to the specification, do not constitute “new matter.” Entry and consideration of the amendments is accordingly requested.

2. Rejection of Claims 1, 10-11, 14, and 20 Under 35 USC §102(b) in view of U.S. Patent No. 4,737,673 (Wrobel)

This rejection is respectfully traversed on the grounds that the Wrobel patent fails to disclose or suggest a sleeve, as recited in independent claims 1 and 10, that fits into the axial tube and that separates the bearing from the axial tube *so that no part of the axial tube is in contact with the bearing*.

In the bearing assembly of Wrobel, the bearing unit 15 includes a rim 9 that contacts the bearing support tube 5. While a plastic sleeve 11 is fitted between the bearing unit 15 and tube 5, the sleeve 11 does not separate the bearing unit 15 from the tube 5 in the manner claimed, so that no part of the axial tube is in contact with the bearing.

This difference is not merely a matter of design choice. Instead, rim 9 of Wrobel, which contacts the axial tube, is required to fix the bearing unit 15 within the support tube 5, by clamping between rubber rings 10 and plastic sleeve 11 (col. 4, lines 14-17). Unlike the claimed sleeve, which pushes outward on the axial tube in order to fix the stator in place, the axial tube in turn pressing on the sleeve to secure the bearing, the sleeve 11 of Wrobel is used solely for axial positioning and clamping of the bearing. In other words, whereas Wrobel's sleeve is used solely for axial positioning, the claimed sleeve provides vertical positioning and at the same time transmits lateral forces to fix both the stator and bearing in place (by pushing outwardly on the axial tube and inwardly against the bearing).

In the arrangement of Wrobel, the sleeve 11 cannot possibly push outwardly on the axial tube because, in that case, rim 9 would not properly engage tube 5, which would render the support tube of Wrobel unsuitable for its intended purpose of securely clamping the bearing. As explained in **MPEP 2143.02** (page 2100-111):

*If the proposed modification would render the prior art invention being modified **unsatisfactory for its intended purpose**, then there is no suggestion or motivation to make the proposed modification" (citing *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984)).*

As a result, it is respectfully submitted that the Wrobel patent would not have suggested the claimed sleeve, which separates the axial tube and bearing by pushing on the axial tube and bearing *away from* each other such that no part of the bearing is in contact with the axial tube, as recited in claims 1 and 10.

In addition to separating the bearing from the axial tube so that no part of the axial tube contacts the bearing, as recited in claim 1, the sleeve of the claimed invention includes a rotation-prevention feature involving a longitudinal rib engaged in a longitudinal positioning channel of the axial sleeve, as recited in new claims 21 and 22. This feature, illustrated as element 121 in Fig. 8 (the elected species), is not even remotely suggested by the Wrobel patent, or any of the other references of record.

3. Rejection of Claims 5 and 6 Under 35 USC §103(a) in view of U.S. Patent Nos. 4,737,673 (Wrobel) and 6,271,611 (Taniguchi)

This rejection is respectfully traversed on the grounds that the Taniguchi patent, like the Wrobel patent, fails to disclose or suggest a sleeve, as recited in independent claims 1 and 10, that fits into the axial tube and that separates the bearing from the axial tube *so that no part of the axial tube is in contact with the bearing*.

To the contrary, as is clear from Fig. 6 of Taniguchi, bearings 6 are in direct contact with axial tube 19, and no sleeve is included. Since Taniguchi does not disclose or suggest any sort of sleeve, it could not have suggested modification of the sleeve of Wrobel in the manner recited in claim 1, from which claims 5 and 6 depend, and withdrawal of the rejection of claims 5 and 6 under 35 USC §103(a) is therefore respectfully requested.

4. Rejection of Claims 12 and 15 Under 35 USC §103(a) in view of U.S. Patent Nos. 4,737,673 (Wrobel) and 5,650,678 (Yokozawa)

This rejection is respectfully traversed on the grounds that the Yokozawa patent, like the Wrobel patent, fails to disclose or suggest a sleeve, as recited in independent claims 1 and 10, that fits into the axial tube and that separates the bearing from the axial tube *so that no part of the axial tube is in contact with the bearing*.

Instead, like the Taniguchi patent discussed above, the Yokozawa patent discloses bearings that are in direct contact with the axial tube, and fails to disclose any sort of sleeve. Because the Yokozawa patent does not disclose any sort of sleeve, it could not have suggested modification of the sleeve of Wrobel to obtain the sleeve recited in claims 1 and 10, from which claims 12 and 15 depend, and withdrawal of the rejection of claims 12 and 15 under 35 USC §103(a) is respectfully requested.

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5. Rejection of Claims 1, 5, 6, 10-12, and 14-20 based on Obviousness-Type Double Patenting in view of Copending Appl. Ser. No. 10/677,234 (the Copending Application) and U.S. Patent No. 4,737,673 (Wrobel)

This rejection is respectfully traversed on the grounds that the Wrobel patent does not disclose or suggest the claimed sleeve that separate the bearing from the axial tube, and therefore could not have suggested modification of the motor claimed in the copending application, which has no sleeve at all or engaging members, to include such a sleeve.

At best, the Wrobel patent might have suggested modification of the motor claimed in the copending application to include a sleeve that does not separate the bearing and axial tube, as taught by Wrobel. Wrobel could not have suggestion inclusion of a sleeve that separates the bearing and axial tube in the manner claimed because Wrobel does not teach such a sleeve.

Having thus overcome each of the rejections made in the Official Action, withdrawal of the rejections and expedited passage of the application to issue is requested.

Respectfully submitted,

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